

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:09cv54**

**HOLLY P. OXNER, JR., and FORREST
EUGENE WEAVER, both individually
and on behalf of all similarly affected
retired and/or active police officers of
the City of Asheville,**

Plaintiffs,

Vs.

**JEFFREY RICHARDSON, Assistant City
Manager of the City of Asheville; LISA
ROTH, Director of Human Resources of
the City of Asheville; and THE CITY OF
ASHEVILLE,**

Defendants.

ORDER

THIS MATTER is before the court on defendants' Motion for Authority to Release Information from Class Members' Personnel Records. Having considered defendants' motion and reviewed the pleadings, and it appearing that release of information described in paragraph 4(a) through 4(e)¹ of class members personnel records is necessary to recalculate pensions and is in the interests of justice, all in accordance with Chapter 160A-168 of the North Carolina General Statutes, the court

¹ Error in subparagraph enumeration noted in original motion and corrected herein.

enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that defendants' Motion for Authority to Release Information from Class Members' Personnel Records (#23) is **GRANTED**, and defendant City of Asheville is authorized to release to Class Counsel the information described in paragraph's 4(a) through 4(e) of the motion for use in this action for the limited purpose of recalculating pension amounts with various sick leave and vacation accrual methods, and a **PROTECTIVE ORDER** is entered providing that no other use may be made of such information.

Signed: March 31, 2010

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Dennis L. Howell
United States Magistrate Judge

